

1900-037 Chancery Causes: Calvin Pardee vs. J. M. Flanary bc
Lee Co.

Bailey, Hobbs, Pennington, Ely, Slomp, Stout, Sewell,
Winn

CA-Contract Dispute
T-Property

CIRCUIT COURT OF LEE COUNTY, VIRGINIA.

Calvin Pardee

v.

J. M. Flanary et al.

BILL

To the Honorable H. A. W. Skeen,

Judge of the Circuit Court of Lee County, Va..

Your orator, Calvin Pardee, states as follows, to-wit:

That, by deed dated June 3rd, 1861, recorded in the County Court Clerk's Office of Lee County, Virginia, in Deed Book 15, page 160, one Elkanah Flanary granted and conveyed unto Henry C. Slemp, George W. H. Habern, James M. Flanary, Campbell Slemp and Susan Slemp one undivided one-half interest in and to a certain tract of land lying in the Crab Orchard, Lee County, Virginia, containing two hundred (200) acres, more or less, and being the same tract of land which was conveyed by the Commonwealth of Virginia unto one Albin Whisman, by patent dated October 1st, 1855; and also an undivided one-half interest in and to a certain other tract or parcel of land lying in the Crab Orchard, in Lee County, Virginia, containing eleven hundred and fifty (1150) acres, and being the same which was granted by the Commonwealth of Virginia to Elkanah Flanary and Sebastian S. Slemp, by patent dated August 1st, 1855, save and except a certain portion of the said last named tract, which was, by deed dated February 18th, 1860, recorded in the County Court Clerk's Office of Lee County, Virginia, in Deed Book 17, page 145, granted by the said Elkanah Flanary and others unto one Calvin Whisman; that while the said instrument from the said Elkanah Flanary to the said Henry C. Slemp and others was intended to be a deed, and was so considered by the parties, and has been so acted upon and recognized by them, and by all persons claiming by, through and under them from that day until this, yet the said instrument was not properly sealed in that the

*Insert names of Hobbs.
New and free man
of Wm.*

✓

scroll attached thereto was not recognized in the body thereof as a seal, and, therefore, the said deed, as a matter of law, operates only as a contract, instead of as a deed of conveyance;

That the said grantees paid to the said Elkanah Flanary during his lifetime the full consideration recited in the said deed for the said land;

That the said Calvin Pardee has by divers mesne conveyances become possessed of the title to the whole of the said two hundred (200) acre tract of land, and also ~~of~~ all of the title to the following parts or parcels of the said eleven hundred and fifty (1150) acre tract of land, to-wit, a certain portion thereof conveyed to him, the said Pardee, by N. C. Ely and wife, by deed dated June 4th, 1900, of record in the County Court Clerk's Office of Lee County, Virginia, and of another part thereof conveyed to him by John Edens and wife, by deed dated June 4th, 1900, of record in the said Clerk's Office, of another part thereof conveyed to him by E. M. Cooper, by deed dated June 4th, 1900, of record in the said Clerk's Office, and of another part thereof conveyed to him by Campbell Slomp and wife, by deed dated April 27th, 1900, of record in the said Clerk's Office, and now claims and owns the said lands under the aforesaid grantees of the said Elkanah Flanary;

That the said Elkanah Flanary died intestate some fifteen years ago, leaving the following children his heirs at law, to-wit, J. M. Flanary, who lives in Lee County, Va.; a daughter Lucinda, who married Nathaniel G. Bailey, both of whom live in Montgomery County, Kentucky; C. F. Flanary, who lives in Wise County, Va.; Emily a daughter, who intermarried with one Joshua Hobbs, who is now living in Lee County, Va., the said Emily having died intestate, leaving the following

children as her heirs at law, to-wit, Rosa H. Hobbs, who after
married with George M. Pennington, and the said Rosa H. Hobbs
died about March 15th 1899, leaving surviving her, her husband George M.
Pennington, and Perda Pennington, Otto Pennington, and Joshua
Pennington, her being at law, and all three are infants under twenty
one years of age, J. E. Hobbs, Mary D. Hobbs who is
married with J. P. Ely, D. C. Hobbs, and Joshua E. Hobbs who is
an infant under twenty one years old, and all live in Lee Co., Va.
Eliza, another daughter, who married Wm. M. Winn,

both of whom died, leaving a daughter Nannie as their heir
at law, the said daughter Nannie having since married M. L.
Slomp, who, together with his said wife, live at Pennington
Gap, Va.; J. J. C. Flanary, who lives in Lee County, Virginia;
Elbert S. Flanary, who lives in Lee County, Va.; and Eliza-
beth, a daughter, who married Charles Stout, who, together
with his said wife, live in _____ County, Ken-
tucky;

All of which will more fully appear by reference to
certified copies of the said patents and deeds, all of which
are filed herewith as part hereof;

Wherefore, your orator, being without remedy save in
a Court of Equity, prays that the said J. M. Flanary, Lucinda
Bailey, Nathaniel G. Bailey, C. F. Flanary, Joshua Hobbs, George
M. Pennington, Perda Pennington, Otto Pennington, Joshua Penning
ton, J. E. Hobbs, Mary D. Ely, J. P. Ely, D. C. Hobbs,
Joshua E. Hobbs,

Nannie Slomp, M. L. Slomp, J. J. C. Flanary, Elbert S. Flan-
ary, Elizabeth Stout, and Charles Stout be made parties de-
fendant to this bill, and required to answer the same, but
answer under oath is hereby waived; that a guardian ad litem
be appointed for the said infant defendats, to-wit, Perda
Pennington, Otto Pennington, Joshua
Pennington, and Joshua E. Hobbs,
and that he be required to answer for the said infants; that
an order of publication be made against the said non-resident
defendants; and that, upon a final hearing, a commissioner
be appointed with directions to convey all of the right,

title and interest of each and all of the said defendants in
and to the said lands to your orator, and for costs, and
such other relief as may be proper, and to equity may seem
meet. And may I pray issue &c. And he
will ever pray &c.

Bullitt & Kelly,

B. H. Smalley,

[Signature]

*to be
in
the
order*

*to be
in
the
order
of
the
court*

Calvin Pardee

vs } Bill in Chancery

J. M. Flannery et al

1st Sept rules & pa & do
bill filed & decree nisi

Circuit Court of Lee County, Virginia.

Calvin Pardee, Complainant,

v.

AFFIDAVIT:

J. M. Flanary et al., Defendants.

Affiant B. H. Sewell states on oath that Lucinda M. Bailey, Nathaniel G. Bailey, Elizabeth Stout, and Charles Stout, who are defendants in a certain suit about to be instituted in the Circuit Court of Lee County, Virginia, where in Calvin Pardee is plaintiff, and J. M. Flanary and others are defendants, are non residents of the State of Virginia.

B. H. Sewell,

State of Virginia)
) to-wit:
County of Lee)

I, ATB Munsey Clerk of the Circuit Court
in and for the State and County aforesaid, do hereby certify
that B. H. Sewell, whose name is signed to the foregoing
affidavit, this day personally appeared before me in my
County aforesaid, that the statements contained in the said
affidavit are true. *Given under my hand*
this Aug 6th 1900. ATB Munsey Clerk

Calvin Pardee
vs Zaffi for O.P.

J M Flannery et al

Filed August 6th 1900

A.B. Munsey Clerk

Circuit Court of Lee County, Virginia.

Calvin Pardee, Complainant,

vs

Defendants, are non residents of the State of Virginia.
Pardee is Plaintiff, and J. M. Flannery and others
in the Circuit Court of Lee County, Virginia, where
he was defendant in a certain suit about to be in-
stituted. C. Bailey, Elizabeth Stoddard and Charles
Attendant D. H. Jewell, dated my oath at Indiana.

State of Virginia)
County of Lee)
I, A.B. Munsey, Clerk of the said Court

do hereby certify that the foregoing is a true and correct copy of the

minutes of the said Court, and that the same are filed in the Court

records, and that the same are true and correct copies of the

minutes of the said Court, and that the same are true and correct

copies of the minutes of the said Court, and that the same are true and correct

copies of the minutes of the said Court, and that the same are true and correct

copies of the minutes of the said Court, and that the same are true and correct

copies of the minutes of the said Court, and that the same are true and correct

copies of the minutes of the said Court, and that the same are true and correct

Plffs Costs

Clerk 6.10

Tax 1.50

Shff 6.00

atty 15.00

Printer 12.00

S. A. L. 5.00

\$45.60

Calvin Parker

vs. $\frac{1}{2}$ In Chancey

J. M. Flannery & Co.

1900. 1st Sept rules Bill filed
Spa & sent on home
defts D. N. and order of
Publication for non residents
& contd for O. P. to complete
" 2nd Sept rules D. N. Confd
Order of Publication com-
plete & cause set for
hearing.

MEMORANDUM FOR CLERK

Circuit Court of Lee County, Virginia.

Calvin Pardee, Complainant,

v.

J. M. Flanary et al., Defendants, Lucinda Bailey, Nathaniel G. Bailey, C. F. Flanary, Joshua Hobbs, George W. Pennington, Penda Pennington, Otto Pennington, Joshua Pennington, J. E. Hobbs, Monroe Ely, J. P. Ely, D. C. Hobbs, Joshua E. Hobbs, Eliza-Winn, Nannie Slemph, M. L. Slemph, J. J. C. Flanary, Elbert S. Flanary, Elizabeth Stout and Charles Stout, Defendants
Suit in Chancery.

Issue summons against J. M. Flanary, C. F. Flanary, of Wise County, Joshua Hobbs, Nannie Slemph, M. L. Slemph, J. J. C. Flanary and Elbert S. Flanary, home defendants, returnable to the 1st September Rules, 1900; make order of publication against the non-resident defendants, namely Lucinda Bailey, Nathaniel G. Bailey, Elizabeth Stout, and Charles Stout, and publish the same in the South-West Virginian, and post the same at the front door of the Court-house. Appoint at rules guardian ad litem for the infant defendants, namely:

Penda Pennington, Otto Pennington, Joshua Pennington and Joshua E. Hobbs,

In the order of publication, state the object of the suit as follows; to-wit:

"The object of this suit is to require the defendants herein who are heirs of Elkanah Flanary, deceased, to convey unto said Calvin Pardee all their right, title and interest in and to a certain tract of land lying in the Crab Orchard, Lee County, Virginia, containing two hundred acres, more or less, which was granted by the Commonwealth of Virginia to one Albin Whisman by patent dated the 1st day of October, 1855; and also all their right, title and interest in and to

the following parcels of another tract of land containing 1150 acres, more or less, lying in the Crab Orchard, in Lee County, Virginia, which was granted by the Commonwealth of Virginia to the said Elkanah Flanary and Sebastian S. Slemp by patent, dated August 1st, 1855, to-wit, all those parts or parcels thereof which were conveyed to the said Calvin Pardee by the following persons, to-wit, Campbell Slemp and wife, by deed dated April 27th, 1900, N. C. Ely and wife, E. M. Cooper, and John Edens and wife, by deeds dated June 4th, 1900, all of which are of record in the County Court Clerk's Office of Lee County".

Circuit Court of Lee County
Virginia

Calvin Pardee

versus

J. M. Flanary et al.

The answer of Perda Pennington,
Oto Pennington, Joshua Pennington
and Joshua E. Hobbs by
D. C. Sewell their Guardian ad
Litem to the Bill in the above
cause.

Respondent by their said Guardian
ad litem say that they are infants
and therefore they commend them-
selves and their rights herein to
the protection of the court and
pray that no decree be entered
herein to their prejudice; and
Respondents pray to be hence
dismissed with their costs

D. C. Sewell
Guardian ad Litem

Calvin Pardee

vs { Zehner of
G. A. L.

J. M. Flannery et al

Filed Nov. 8th 1900

in open court

A. B. Mursey Clerk

~~Court~~

CIRCUIT COURT OF LEE COUNTY, VIRGINIA.

Calvin Pardee, Complainant,

v.

DECREE

J. M. Flanary, et al., Defendants.

This cause came on this 8th day of November, 1900, to be heard upon the bill of Complainant in this cause and the exhibits filed therewith, the answer of the infant defendants Perda Pennington, Otto Pennington, Joshua Pennington, and Joshua E. Hobbs, by their guardian ad litem D. C. Sewell, and general replication thereto, and was argued by counsel, and it appearing to the Court that J. M. Flanary, C. F. Flanary, Joshua Hobbs, Nannie Slomp, M. L. Slomp, J. J. C. Flanary and Elbert S. George W. Pennington, J. E. Hobbs, Mary D. Ely, J. R. Ely, D. C. Hobbs, Flanary have been duly and legally summoned in this cause, and that none of them have appeared, answered or pleaded herein, and that an order of publication has been duly made, published and posted herein against the non-resident defendants Lucinda Bailey, Nathaniel G. Bailey, Elizabeth Stout, and Charles Stout, and that none of the said non-resident defendants have appeared, pleaded or answered herein, the bill is taken for confessed as to each and all of the said adult home defendants, and as to each and all of the said non-resident defendants; and on further consideration, it is adjudged, ordered and decreed by the Court that B. H. Sewell, who is hereby appointed a special commissioner for the purpose, be and he is hereby directed to execute and deliver to Calvin Pardee a deed of conveyance, conveying to him all of the right, title and interest of each and all of the defendants in this cause in and to the lands in the bill mentioned, claimed by the said Calvin Pardee;

And thereupon came the said B. H. Sewell, Special Commissioner, and filed his report herein, showing that he had executed the deed hereinabove provided for, and also filed with the said report the said deed for the inspection of the Court; on consideration whereof, it is adjudged, ordered and decreed by the Court that the said report and the said deed be and the same are hereby approved and confirmed, and leave is given to the said Calvin Pardee to withdraw the said deed from the papers in this cause; and nothing further appearing to be done in this cause, it is ordered that it be stricken from the docket *at the order of the plaintiff*

Calvin Parker

no. { Deere Farm.

J. M. Flanagan et al

Enter This

Nov. 8th 1900

H. A. W. Shum

Entered on Chy
O.B. No. 6. P. 436.

CIRCUIT COURT OF LEE COUNTY.

Calvin Pardee

v. Report of B. H. Sewell, Special Commissioner
J. M. Flanary et al.

The undersigned, B. H. Sewell, Special Commissioner, appointed in the above cause, would respectfully report to the Court that he has executed the deed which he was directed to execute by a decree entered this day in the said cause to Calvin Pardee, and he herewith files the said deed for the inspection of the Court.

Respectfully submitted

B. H. Sewell

Special Commissioner.

Calvin Pardee

ms. } Com. Report.

J. M. Flanagan et al

Filed Nov. 8th 1900
in open court

A. B. Mumsey
clerk.

In the Clerk's Office of the Circuit Court of the County of
Lee on the 6th day of August 1900.

Calvin Pardee

Plaintiff

against

In Chancery

J. M. Flanary, Lucinda Bailey, Nathaniel Bailey, L. F. Flanary, Joshua Hobbs
George W. Pennington, Cerda Pennington, Otto Pennington, Joshua Penning-
ton, E. E. Hobbs, Mary D. Ely, T. P. Ely, S. L. Hobbs, Joshua E. Hobbs, Nannie Slump
McG. Slump, J. J. L. Flanary, Albert S. Flanary, Elizabeth Stout and Charles
Stout Defendant S

The object of this suit is to require each and all of the defendants, herein who are heirs of Elkanah Flanary deceased, to convey unto said Calvin Pardee all their right, title and interest in, and to a certain tract of land lying in the Crab Orchard Lee County, Virginia containing two hundred acres, more or less, which was granted by the Commonwealth of Virginia to one Albin Whisman by patent dated 1st day of October 1855, and also all their right, title and interest in and to the following parcels of another tract of land containing 1150 acres more, or less, lying in the Crab Orchard, in Lee County, Virginia, which was granted by the Commonwealth of Virginia to the said Elkanah Flanary and Sebastain, S. Slump by Patent dated August 1st 1855, to-wit: all those parts or parcels thereof which were conveyed to the said Calvin Pardee by the following persons, to-wit: Campbell Slump and wife by deed dated April 27th 1900, A. C. Ely and wife E. M. Cooper, and John Edens and wife, by deeds dated June 4th 1900, all of which are of record in the County Court Clerk's office of Lee County.

And an affidavit having been made and filed that the defendant Lucinda Bailey, Nathaniel A. Bailey, Elizabeth Stout and Charles Stout are not residents of the State of Virginia, it is ordered that they do appear here within fifteen days after due publication hereof, and do what may be necessary to protect their interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the South-West Virginia, and that a copy be posted at the front door of the court-house of this County on the first day of the next term of the County Court.

A copy—Teste:
Bullitt & Kelly
+ B. B. Sewell p. q.

A. B. Mursey Clerk.

Calvin Pardee

vs. {

ORDER OF
PUBLICATION.

J. M. Flanary et al

Virginia Lee County to-wit:
I A. B. Munsey Clerk of the
Circuit for Lee County do
hereby certify that I posted
a copy of the within at
the front door of the Court-
house of Lee County on the
1st day of the August Term
1900, of the County Court
of said County, this
August 20th 1900.

A. B. Munsey Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Wise, Greeting:

WE COMMAND YOU, that you summon J. M. Flanary, Lucinda Bailey
Nathaniel G. Bailey, C. F. Flanary Joshua Hobbs
George W. Pennington Perda Pennington, Otto
Pennington Joshua Pennington, J. E. Hobbs
Mary D. Ely, T. P. Ely, O. C. Hobbs Joshua E. Hobbs
Nannie Slomp, M. D. Slomp, J. J. C. Flanary, Elbert-
S. Flanary, Elizabeth Stout and Charles Stout

to appear at the Clerk's office of the Circuit Court of the County of Lee
at the rules to be held for the said Court, on the 1st Monday in September 1900.
to answer a bill in chancery, exhibited against them in our said Court ~~for~~ by
Calvin Pardee.

And have then there this writ. Witness, A. B. Munsey, Clerk of our said
Court, at the court-house, the 6th day of August 1900 ~~1899~~, and in the
125th year of the Commonwealth.

A. B. Munsey Clerk

Serve Copy on inside on
L. F. Flanary

Shff of Mise Co

Form No. 300.

Calvin Pardee

vs.

}

SUBPOENA
IN
CHANCERY.

J. M. Flanary et als

Bullitt & Kelly
+ B. H. Sewell p. q.

To 1st September Rules,
1900. Circuit Court.

Executed by delivering
an office copy of
the within to L. F.
Flanary, this Augt,
10th 1900.

C. W. Kempco D.C.,
for W. Kellen
Secy

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, that you summon J. M. Flanary, Lucinda Bailey, Nathaniel H. Bailey, L. F. Flanary, Joshua Hobbs, George W. Pennington, Perda Pennington, Otto Pennington, Joshua Pennington, J. E. Hobbs, Mary D. Ely, T. C. Ely, D. C. Hobbs, Joshua E. Hobbs, Nannie Slemp, M. L. Slemp, J. J. L. Flanary, Elbert S. Flanary, Elizabeth Stout and Charles Stout

to appear at the Clerk's office of the Circuit Court of the County of Lee at the rules to be held for the said Court, on the 1st Monday in September 1900 to answer a bill in chancery, exhibited against them in our said Court for by Calvin Pardee

And have then there this writ. Witness, A. B. Munsey, Clerk of our said Court, at the court-house, the 6th day of August 1900 1899, and in the 125th year of the Commonwealth.

A. B. Munsey Clerk

Small Copies are Made from
any persons to order
Joshua Hobbs
D. L. Hobbs
Geo W. Pennington
M. L. Slomp
Nannie Slomp

267

Form No. 300.

Calvin Parker

72.
SUBPOENA
IN
CHANCERY.

J. M. Flannery et al

Paulitt & Kelly
vs J. B. H. Sewell
p. q.

101st September
Leicester
Court.

Executed Aug 17th - 1900 by delivering an attested
office copy to Joshua Hobbs and also Executed
by delivering an attested office copy to D. L. Hobbs
Executed by delivering an attested office copy to
M. L. Slomp And by delivering an attested
office copy to Nannie Slomp, and further
executed ^{17th day of Aug 1900} by as G. W. Pennington, by delivering
an attested copy to his wife Katie Pennington at the
usual place of abode of the said G. W. Pennington
and to whom I have information of purpose of said ~~subpoena~~ ^{summons} ~~subpoena~~
she being a member of the family of G. W. Pennington
over the age of 16 years and being found at
the usual place of abode of the said G. W. Pennington
he the said G. W. Pennington not being then
found at his said usual place of abode.

D. P. Ely D. S.
for W. J. Milham.

S. L. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, that you summon

J. M. Flanary, Lucinda
Bailey, Nathaniel H. Bailey, C. F. Flanary,
Joshua Hobbs, George W. Permington, Perda
Permington, Otto Permington, Joshua
Permington, J. E. Hobbs, Mary D. Ely
J. P. Ely, D. B. Hobbs, Joshua C. Hobbs,
Nannie Slomp, M. L. Slomp, J. J. C. Flanary
Albert S. Flanary, Elizabeth Stout and
Charles Stout

to appear at the Clerk's office of the Circuit Court of the County of Lee
at the rules to be held for the said Court, on the 1st Monday in September 1900
to answer a bill in chancery, exhibited against them in our said Court for by
Calvin Pardee

And have then there this writ. Witness, A. B. Munsey, Clerk of our said
Court, at the court-house, the 6th day of August 1900, and in the
12th year of the Commonwealth.

A. B. Munsey Clerk

Serve Copies on
J.M. Flanary
T.P. Ely
Mary D. Ely
Z.E. Hobbs
J.J. C. Flanary &
Albert S. Flanary

Livesay

Form No. 300.

Calvin Pardee

vs. }

SUBPOENA
IN
CHANCERY.

J.M. Flanary et als

Bullitt & Kelly
Attorneys at Law p. q.

To 1st September Rules,
Circuit Court.

Executed August 20th 1900
by delivering an attested office
of the within spa in Chcy to
J.M. Flanary, T.P. Ely Mary
D. Ely Z.E. Hobbs J.J. C. Flanary
& Albert S. Flanary

R. B. Livesay Deft
for W. J. Mileham S. L. C.

**CERTIFICATE OF
ORDER OF PUBLICATION.**

I, A. M. Goins, Editor of the **SOUTH-
WEST VIRGINIAN**, a weekly newspa-
per published at Jonesville, Lee County,
Va., do hereby certify that the annex-
ed notice was published in said paper
once a week for four successive weeks,
commencing on the 9th day of

August, 1900

A. M. Goins, EDITOR.

FEE, \$12 00

VIRGINIA—In the Clerk's Office of the
Circuit Court of the County of Lee on
the 6th day of August, 1900.

CALVIN PARDEE, Plaintiff,
against

J. M. Flanary, Lucinda Bailey,
Nathaniel G. Bailey, C. F. Flanary
Joshua Hobbs, Geo. W. Penning-
ton, Perda Pennington, Otto Pen-
nington, Joshua Pennington, Z. E.
Hobbs, Mary D. Ely, T. P. Ely,
D. C. Hobbs, Joshua E. Hobbs,
Nannie Slemp, M. L. Slemp, J. J.
C. Flanary, Elbert S. Flanary,
Elizabeth Stout and Chas. Stout, D'ts.

IN CHANCERY.

The object of this suit is to require the
defendants herein who are heirs of
Elkanah Flanary deceased, to convey unto
said Calvin Pardee all their right, title and
interest in, and to a certain tract of land
lying in the Crab Orchard, Lee County,
Virginia, containing 200 acres, more or
less, which was granted by the Common-
wealth of Virginia to one Albin Whisman
by patent dated 1st day of October, 1855,
and also all their right, title and interest
in and to the following parcels of another
tract of land containing 1,150 acres, more
or less, lying in the Crab Orchard, in Lee
County, Va., which was granted by the
Commonwealth of Virginia to the said
Elkanah Flanary and Sebastian S. Slemp
by patent dated August 1st, 1855, to-wit:
all these parts or parcels thereof which
were conveyed to the said Calvin Pardee
by the following persons to-wit: Campbell
Slemp and wife by deed dated April 27th,
1900; N. C. Ely and wife, E. M., Cooper,
and John Edens and wife, by deeds dated
June 4th, 1900, all of which are of record
in the County Court Clerk's Office of Lee
County."

And an affidavit having been made and
filed that the defendants, Lucinda Bai-
ley, Nathaniel G. Bailey, Elizabeth Stout
and Charles Stout

are not residents of the State of Virginia,
it is ordered that they do appear here within
fifteen days after due publication hereof
and do what may be necessary to protect
their interest in this suit. And it is further
ordered that a copy hereof, be published
once a week for four weeks in the South-
west Virginian, and that a copy be posted
at the front door of the court-house of this
county on the first day of the next term of
the County Court.

A copy—Teste:

A. B. MUNSEY, Clerk.

Bullitt & Kelly and B. H. Sewell, p. q.

ORDER OF PUBLICATION.

Calvin Pardee

VS.

IN CHANCERY.

J. M. Flannery et al

FEE \$12 00